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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,452	11/19/2001	Paul-Marcel St-Onge	48135.0100/PS01	9377
40604	7590	09/09/2004	EXAMINER	
INTER-TEL, INC. 7300 WEST BOSTON STREET CHANDLER, AZ 85226			GAUTHIER, GERALD	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 09/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,452

Applicant(s)

ST-ONGE ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19 and 39-56 is/are allowed.
- 6) ☒ Claim(s) 20-56 is/are rejected.
- 7) ☒ Claim(s) 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 20-23, 29 and 31-33** are rejected under 35 U.S.C. 102(b) as being anticipated by Ward et al. (EP 0880255).

Regarding **claims 20 and 31**, Ward discloses a system for establishing a remote access session between a remote device and an office center via an internet connection (column 1, lines 5-9), the system comprising:

the office center (32 on FIG. 1) comprising:

a messaging server (40 on FIG. 2) configured to receive, store and cause a textual display of a telephone-related event on a display of a communication device (column 7, lines 4-18) [The voice mail system 40 receives and stores voice messages and the user accesses the voicemail system 40 to retrieve and records voice messages to be displays to the user's computer 4];

a private branch exchange system (42 on FIG. 2) receiving and delivering external and internal voice calls to and from the office center, the PBX system coupled between a public switched telephone network (22 on FIG. 2) and the messaging server (column 7, lines 4-18) [The user accesses the telephone switching system 42 and all the function supported by the telephone switching system such as a private branch exchange]; and

a web server (70 on FIG. 5) coupled to the PBX system and the messaging server, the web server programmed to provide a dynamic GUI website and accessible via the world wide web (column 9, lines 25-43) [The second part 70 of the gateway 60 is implemented in software that is installed on the same personal computer 4 such as the user can access the internet via the world wide web and inherently a dynamic GUI that permits the internet access via the system switch]; and

the remote device (4 on FIG. 2) having a display, a function key and a web browser, the remote device configured to access the website via the World Wide Web and cause the remote access session between the remote device and the office center, during the session, the remote device receiving the textual display of the event via the dynamic GUI website on the remote device display, the function key enabling a management of the event within the office center (column 8, lines 20-32) [The remote personal computer has a monitor a keyboard and software to access various functions and resources of the telephone switching system and the IP network a suitable client software to support the remote access of the switching system].

Regarding **claims 21 and 32**, Ward discloses, the communication device comprises a keyset (4 on FIG. 1).

Regarding **claims 22 and 33**, Ward discloses, the communication device further comprises a workstation coupled to the keyset (4 on FIG. 1).

Regarding **claim 23**, Ward discloses, the remote device comprises one of a cellular phone, a portable computer, an on-premise device, a personal digital assistant or a stationary computing device (4 on FIG. 1).

Regarding **claim 29**, Ward discloses the web site comprises a visual selection corresponding to the information center and upon selection, a bi-directional path is established between the remote communication device and the messaging server (column 8, lines 20-32).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claims 24-28, 35 and 37-38** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward in view of Dunn et al. (US 5,651,054).

Regarding **claim 24**, Ward as applied to **claim 20** differs from **claim 24** in that it fails to disclose an OAI link between the messaging server and the PBX system.

However, Dunn teaches an OAI link between the messaging server and the PBX system (column 3, lines 26-38).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Ward using the OAI protocol as taught by Dunn.

This modification of the invention would offer the capability of the remote device having an OAI link between the messaging server and the PBX system so that the user would monitor a message being left by a caller.

Regarding **claim 25**, Dunn teaches the OAI link comprises a plurality of channels (column 3, lines 26-38).

Regarding **claim 26**, Dunn teaches information transmitted on the OAI link is compressed (column 3, lines 26-38).

Regarding **claim 27**, Dunn teaches the event comprises a voice mail message (column 4, lines 46-61).

Regarding **claim 28**, Dunn teaches, the event comprises a real-time telephone call (column 3, lines 49-61).

Regarding **claim 34**, Dunn teaches the packets comprise compressed speech and text (column 7, lines 40-62).

Regarding **claim 35**, Dunn teaches the IPC comprises a plurality of appearances corresponding to an equal number of office telephones (column 5, lines 43-53).

Regarding **claim 37**, Dunn teaches the conversion software on the web browser downloaded from the web server to the portable communication device (column 7, lines 40-62).

Regarding **claim 38**, Dunn teaches the office telephone comprises a phantom extension (column 5, lines 43-53).

7. **Claim 30** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ward in view of Beerman Jr. et al. (US 6,084,952).

Regarding **claim 30**, Ward as applied to **claim 29** differs from **claim 30** in that it fails to disclose a command from the message server to the PBX system to disable the communication device within the information center.

However, Beerman teaches a command from the message server to the PBX system to disable the communication device within the information center (column 9, lines 25-39).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Ward using the termination of the remote device as taught by Dunn.

This modification of the invention would offer the capability of the remote device being terminated for non-authorization so that the user would be identified before the session.

Response to Arguments

8. Applicant's arguments with respect to **claims 20-56** have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

9. **Claims 1-19 and 39-56** are allowed.

10. The following is an examiner's statement of reasons for allowance:

Regarding **claim 1** the prior art of record fails to disclose or suggest a communication device initiating a session by accessing a graphic user interface and during the session receives information of a telephone call from a private branch exchange system via the graphic user interface, thereby transferring complete management functions of the call to the communication device.

Regarding **claim 39** the prior art of record fails to disclose or suggest a constructing a web page model of a telephone viewable on the remote client and the

web page model comprising a representation of a plurality of functions available of the telephone.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

11. **Claim 36** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter: The prior at this time fails to disclose the IPC comprises 8 appearances.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GERALD GAUTHIER
PATENT EXAMINER

g.g.
September 6, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
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